IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY FIRST DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 9031 of 2005

Between:

B.Hari Ram, S/o.B.Dharmaji Rao,
R/o.H.No.20-1-576/1/A/B, Golla Khidiki, Hyderabad.

..... PETITIONER

AND

1 Mandal Revenue officer, Chevella Mandal, Ranga Reddy District.
2 Revenue Divisional officer, Chevella Division, Ranga Reddy District at Attapur.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue writ or order or direction, more particularly one in the nature of Writ of Mandamus declaring action of the respondents in not passing orders on the application dt.28/10/2004, for mutation of record of rights pertaining to agricultural lands in Sy.Nos.59, 60/A 61/1 to an extent of Ac.8-39 guntas, Ac.7-32 guntas and Ac.6-30 guntas respectively, total admeasuring Ac.23-21 guntas of land, situated at Kammete village, chevella Mandal, Ranga Reddy District and consequential updating the revenue records as illegal, arbitrary and violative of art. 14 and 21 of the Constitution of India and without jurisdiction and contrary to R.O.R. rules and consequently direct the respondents to issue Title Deed books and pattedar pass Books in pursuance of mutation proceedings by updating the revenue records, by incorporating the petitioner's name in Records of Rights and other revenue records including the pahanies.

Counsel for the Petitioner:MR.M.LAXMAN

Counsel for the Respondent Nos.1 and 2: GP FOR REVENUE

The Court, at the stage of admission, made the following :

ORDER:

This writ petition is filed aggrieved by the alleged inaction on the part of the respondents in considering the application of the petitioner dated 28.10.2004 for mutation of his name in the record of rights pertaining to the lands in S.Nos.59, 60/A, and 61/1 admeasuring Ac.8.39 guntas, Ac.7.32 guntas and Ac.6.30 guntas respectively situated at Kammeta village, Chevella Mandal, Ranga Reddy District.

I have heard learned counsel for the petitioner and the learned Government Pleader for Revenue appearing for respondents.

Learned Government Pleader does not dispute the fact that under Section 5 of the Andhra Pradesh Rights in Land and Pattadar Passbooks Act, 1971,(for short "the Act"), on receipt of communication of the fact of acquisition of any right, the Mandal Revenue Officer shall conduct necessary enquiry and carryout amendments in the record of rights.

In the circumstances, the writ petition is disposed of with a direction to the respondents to consider the application of the petitioner dated 28.10.2004 and to take necessary action in accordance with law, after following the procedure as prescribed under Section 5 of the Act. Such exercise shall be completed as expeditiously as possible, preferably within a period of three

months from the date of receipt of this order. No order as to costs.

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21.04.2005

Note : Furnish C.C., in two days.

(B/O)

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To

1 The Mandal Revenue officer, Chevella Mandal, Ranga Reddy District.
2 The Revenue Divisional officer, Chevella Division, Ranga Reddy District at Attapur.

3 Two C.Cs to the G.P. for Revenue, High Court Buildings, Hyderabad (OUT).

4 2 CD copies.